

April 2, 1965

Mr. Zelf S. Calder  
251 South 3 West  
Vernal, Utah

Dear Mr. Calder:

Re: Pot Creek Water Distribution

This will acknowledge your letter dated March 9, 1965 in which you refer to the taking of Colorado rights from the Crouse Reservoir.

The enclosed Interlocutory Judgment and Decree is clear that William Allen succeeded to the Crouse rights. It is noted that this followed through in culmination of the Green River Determination. We might discuss this either on your next trip to Salt Lake or my next trip to Vernal.

Yours very truly,

Hubert C. Lambert  
ACTING STATE ENGINEER

DCN/wh  
Enclosure

251 S. 3 West  
Vernal, Utah  
March 9, 1965

Hon. Hubert Lambert  
Acting Utah State Engineer  
Capitol Building  
Salt Lake City, Utah

Dear Sir:

Re: Pot Creek Water Distribution

On March 8, 1965 at Vernal, Utah during the Pot Creek Water Users Meeting the Matt Warner Reservoir Water Users presented a request to the State Engineer through Mr. Norseth that the Floyd Massey Colorado water right be delivered from the Crouse Reservoir instead of the Matt Warner Reservoir. This matter was deferred for further investigation and study.

It is noted that Mr. Stanley Crouse of Greystone, Colorado was the owner of the Offield land and water rights on lower Pot Creek in Colorado at the time he entered into a stipulated federal decree (Crouse vs. Calder, case No. 356, dated June 21, 1944) wherein he agreed to take five second feet of the direct flow of Pot Creek as his share of the waters of Pot Creek.

On May 20, 1964 Attorney E. D. Davis of Craig, Colorado wrote me:

"According to the records of this county (Moffat County, Colorado), the land which you referred to as the Offield property was owned by the Browns Park Livestock Company (Stanley Crouse, president) in 1944 and was sold to Thomas Ainge on February 27, 1947 and was later sold to Floyd Massey."

It is common knowledge that Stanley Crouse owned the Offield property at the time the above referred-to decree was entered. Perhaps this fact is within the personal knowledge of Mr. Hubert Lambert. I believe he was in the vicinity of Pot Creek about this time.

If Stanley Crouse were the owner of these rights today, would the State Engineer grant his request for three second feet and 64 acre feet to be taken from the Matt Warner Reservoir Users in addition to the five second feet Mr. Crouse stipulated to take in the federal decree above referred to?

We respectfully request that whatever water rights you distribute to the Massey Brothers in Colorado be taken out of the Crouse Reservoir and not out of the Matt Warner Reservoir.

Respectfully yours,

Matt Warner Reservoir Water Users

by Zeph S. Calder

*Zeph S. Calder*

ZSC:tc

CC - Wesley Sine, Colorado Area Engineer, Haysen, Colorado, Floyd Massey, Jensen, Utah, and Al Hogan, Utah State Fish & Game Dept., Vernal, Utah

